

USDC Montana - Helena Division

1-26-2019

901 Front St. Suite 2100

Helena, MT 59629

JAN 30 2019

Clerk, U.S. Courts  
District of Montana  
Helena Division

RE: CV-18-00104-H-BMM-JTJ, Motion for Relief From Orders

To the Clerk of Court, or appropriate authority;

On 1/16/19, in the above listed matter, I (Petitioner) mailed a "Motion for Relief From Orders". After that submission, a controlling caselaw came to my attention, and I now raise it to the Courts attention in support of my petition:

Schroeder v. McDonald, 55 F.3d 454, at 458 (9<sup>th</sup> CIR 1995) citing to -  
Fuller v. M.G. Jewelry, 950 F.2d 1437, at 1441-42 (9<sup>th</sup> CIR 1991) holding that a Motion for Reconsideration brought pursuant to a local District rules may be treated as one brought pursuant to Rule 59(e) or Rule 60(b) of the Fed. R. Civ. P., and a labeling as a local rule motion is not dispositive.

I raise this in support of Section (II.), Paragraph 13, Paragraph 19; and the corresponding requests for Relief under Section (III).

Thank You for your time and Consideration.

Respectfully,

 Pro Se Petitioner

Nathaniel Kibby # 3019567

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700 Conley Lake Rd.

Deer Lodge MT 59722

CC: NEK File ; Defendant Salmonson